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St. Louis, Missouri 63102Telephone (314) 231-5400  
Facsimile (314) 231-4342

## FACSIMILE TRANSMITTAL COVER SHEET

DATE: April 1, 2005 ATTORNEY DOCKET NUMBER: 4069DIV/GETS 5294.2  
PTO FACSIMILE NUMBER: (703) 872-9306PLEASE DELIVER THIS FACSIMILE TO: Mark T. Le  
THIS FACSIMILE IS BEING SENT BY: Frank R. Agovino  
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## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to  
the Patent and Trademark Office on the date shown below.Jessica Dunn  
Typed or printed name of person signing certification  
Signature Date April 1, 2005Type of paper transmitted: Request for Continued ExaminationApplicant's Name: Gerald James Hess, Jr. et al.Serial No. (Control No.): 10/722,610 Examiner: Mark T. LeFiling Date: 11-26-03 Art Unit: 3617 Confirmation No.: 7096Application Title: CONTROL SYSTEM FOR OPTIMIZING THE OPERATION  
OF TWO OR MORE LOCOMOTIVES OF A CONSISTIF YOU DO NOT RECEIVE ALL PAGES CLEARLY, CALL BACK AS SOON AS  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Hess, Jr. et al. Art Unit 3617  
Serial No. 10/722,610  
Filed November 26, 2003  
Confirmation No. 7096  
For CONTROL SYSTEM FOR OPTIMIZING THE OPERATION OF TWO OR MORE  
LOCOMOTIVES OF A CONSIST  
Examiner Mark T. Le

April 1, 2005

REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

This is a Request for Continued Examination (RCE) under 37  
C.F.R. §1.114 of the above-identified application.

**1. REQUIRED SUBMISSION:**

- a. ☒ Previously submitted
  - i. ☒ Consider the amendment(s)/reply under 37  
C.F.R. §1.116 previously filed on February  
28, 2005
  - ii. ☐ Consider the arguments in the Appeal Brief or  
Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
  - i. ☐ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement
  - iv. ☐ Other \_\_\_\_\_

**2. MISCELLANEOUS**

- a. ☐ Suspension of action on the above-identified  
application is requested under 37 C.F.R. §1.103(c)  
for a period of \_\_\_\_\_ months. (Period of  
suspension shall not exceed 3 months; fee required)
- b. ☐ Other \_\_\_\_\_

**3. FEES (Required when the RCE is filed)**

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a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-0846. A duplicate copy of this sheet is enclosed for fee processing.

- i. ☒ RCE fee required under 37 C.F.R. §1.17(e)
- ii. ☐ Extension of time fee
- iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$\_\_\_\_\_ is enclosed. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 19-1345.

Respectfully submitted,



Frank R. Agovino, Reg. No. 27,416  
SENNIGER POWERS  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

FRA/ROE/jmd

Mail Stop RCE

**FEE TRANSMITTAL**

Application Number 10/722,610 Art Unit 3617  
Filing Date November 26, 2003 Confirmation No. 7096  
Inventor(s) Hess, Jr. et al.  
Examiner Name Mark T. Le  
Attorney Docket Number 4069DIV/GETS 5294.2

[ ] Applicant claims small entity status.

**METHOD OF PAYMENT**

- [X] The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 07-0846. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.
- [ ] Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

**FEE CALCULATION**

1. [ ] BASIC FILING, SEARCH AND EXAMINATION FEES  
(Type: \_\_\_\_\_) Subtotal (1) \$ \_\_\_\_\_
2. [ ] EXCESS CLAIM FEES
- Total Claims \_\_\_\_ - \_\_\_\_ (HP) = \_\_\_\_ x Fee \_\_\_\_ = \$ \_\_\_\_\_  
Indep Claims \_\_\_\_ - \_\_\_\_ (HP) = \_\_\_\_ x Fee \_\_\_\_ = \$ \_\_\_\_\_  
Multiple Dependent Claims Fee \$ \_\_\_\_\_  
(HP = highest number of claims paid for)
- Subtotal (2) \$ \_\_\_\_\_
3. [ ] APPLICATION SIZE FEE
- Total Pages \_\_\_\_ - 100 = \_\_\_\_ ÷ 50 = \_\_\_\_ x \$250 = \$ \_\_\_\_\_  
(Application + Drawings) (round up to whole #)
- Subtotal (3) \$ \_\_\_\_\_
4. [X] OTHER FEE(S)
- [ ] \_\_\_\_\_ month extension of time  
[ ] Information disclosure statement  
[ ] 37 CFR 1.17(q) processing fee  
[ ] Non-English specification  
[ ] Notice of Appeal  
[ ] Filing a brief in support of appeal  
[ ] Request for oral hearing  
[X] Other: Request for Continued Examination
- Subtotal (4) \$ 790.00

TOTAL AMOUNT OF PAYMENT \$ 790.00

Frank R. Agovino  
Frank R. Agovino, Reg. No. 27,416  
Telephone: 314-231-5400

4/1/05  
Date

FRA/ROE/jmd